

REMARKS

Claims 4-6 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Applicant's Admitted Prior Art (hereinafter referred to as AAPA) in view of US patent No. 7,359,984 (hereinafter referred to as Hackney). Reconsideration of the rejections and allowance of the pending claim is respectfully requested in view of the foregoing amendments and the following remarks.

Claims 5 and 6 are presently canceled. Claims 1-3 were previously canceled. Thus, claim 4 is pending.

M.P.E.P. 2143.03 provides that to establish *prima facie* obviousness of a claimed invention, all the claims limitations must be taught or suggested by the prior art. All words in a claim must be considered for judging the patentability of the claim against the prior art. If an independent claim is nonobvious under 35 U.S.C. 103, then any claim depending there from is nonobvious.

Claim 4 is directed to a method for relaying Internet Protocol (IP) packets to an external control component assigned to a network node in a communication network. The communication network has a plurality of network nodes and switching IP packets. The method includes receiving an in-band IP signaling packet at an external interface of the network node. The method further includes connecting the external interface to the external control component. The packet is identified based on a protocol field of a header in the packet. A value uniquely assigned to the receiving external interface is inserted into a field of the header or an IP header in the packet. The value is different than another value assigned to a non-receiving external interface of the network node. The packet is identified as an RSVP (Resource Reservation Protocol) type of packet. A DSCP (Differentiated Services Code Point) field in the header of the packet is modified as a function of the receiving external interface. The DSCP field contains the value uniquely assigned to the receiving external interface. The modified packet is routed to the external control component connected to the external interface, and thus relays Internet Protocol (IP) packets to the external control component assigned to the network node.

Applicant respectfully notes that one skilled in the art would recognize that AAPA refers to techniques used in a communication network that relies on an internal control component. By way of contrast, claim 4 is directed to a method for relaying Internet Protocol (IP) packets to an external control component (this is diametrically opposite to techniques applicable to an internal control component, as described in AAPA). Thus, one skilled in the art would recognize that AAPA, if anything, teaches away from the claimed invention. Hackney fails to remedy the fundamental deficiency of AAPA in connection with the claimed invention. Thus, for this reason alone, the combination of AAPA and Hackney fails to constitute a *prima facie* combination for appropriately sustaining a §103 rejection of the claimed invention.

Applicant alternatively traverses the §103 rejections because the combination of AAPA and Hackney fails to describe or suggest each of the structural and/or operational relationships of the claimed invention. For example, it is not believed that such a combination teaches or suggests inserting a value assigned to the receiving external interface into a field of the header or an IP header in the packet. Additionally, it is not believed that such a combination teaches or suggests routing the modified packet to the external control component connected to the external interface, and thus relaying Internet Protocol (IP) packets to the external control component assigned to the network node. Accordingly, under this alternative basis of traversal, the AAPA/Hackney combination equally fails to render unpatentable claim 4 and once again the Examiner is respectfully requested to withdraw these rejections.

Conclusion

It is respectfully submitted that the claim pending in this application recites patentable subject matter, and it is further submitted that such a claim complies with all statutory requirements and thus such claim should be allowed.

The commissioner is hereby authorized to charge any appropriate fees due in connection with this paper, including the fees specified in 37 C.F.R. §§ 1.16 (c), 1.17(a)(1) and 1.20(d), or credit any overpayments to Deposit Account No. 19-2179.

Respectfully submitted,

Dated: 9/3/18

By: John P. Musone

John P. Musone
Registration No. 44,961
(407) 736-6449

Siemens Corporation
Intellectual Property Department
170 Wood Avenue South
Iselin, New Jersey 08830